

REMARKS

Claims 1-6, 8-33, 35-37, 43, 45, 47-49, 51 and 52 are all the claims pending in the application. By this amendment, claims 34 and 39-42, and 46 have been canceled, and claims 17-18 have been rewritten in dependent form.¹

Claims 19-33, 35-37, 43, 45-48, 51 and 52 are withdrawn from consideration as being drawn to a non-elected invention.

Allowable Subject Matter

Claim 49 is allowed.

Claim Rejection Under 35 U.S.C. § 103

Claims 1-6 and 8-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over LaDue (US 2002/0133423) in view of *newly cited* Halloran et al. (US 5,966,667).

Applicant has amended independent claim 1 to recite that the buffering device comprises a microprocessor. This amendment is supported in the original specification at least by the exemplary embodiment discussed at page 13, lines 11-15, in which the microprocessor 30 of the device hands over control of the handset display to the intermediate smart card 80 (i.e., example of a buffering device).

With respect to independent claim 1, Applicant respectfully traverses this rejection at least because there is no combination of LaDue and Halloran that would reasonably meet all of the claim's recitations. For example, there is no combination of LaDue and Halloran that would reasonably meet the claimed communication device including a buffering device operable to

¹ Claim 17 has been amended slightly.

communicate with said master microprocessor, wherein the buffering device comprises a microprocessor, wherein said master microprocessor is operable to receive messages from the buffering device or the security identity module, and wherein said buffering device is operably connected to said bus between the master microprocessor and the security identity module.

The Examiner acknowledges that LaDue does not disclose the recited buffering device. Therefore, the Examiner looks to the communication device of Halloran.

Halloran discloses a dual mode handset, i.e., a handset that can communicate in more than one communication mode, for example, in different frequencies, in analog and digital modes, etc. Although such a system does use two microprocessors, each controlling a different radio device, the system does not require two microprocessors that are *connected in a specific architecture* as recited in claim 1.

That is, claim 1 recites that the bus that connects the main microprocessor of the handset to the SIM card should be buffered by an intermediate microprocessor. This architecture allows the intermediate microprocessor to pretend to be the SIM's microprocessor when communicating with the master microprocessor and *vice versa* pretending to be the master microprocessor of the handset when communicating with the SIM card. In such a way, SMS messages that were created with the assistance of the intermediate microprocessor of the buffer device can be stored on the SIM card and also can be sent with the assistance of the master microprocessor.

The recited buffering device with a microprocessor is missing from Halloran. The Examiner asserts that Halloran discloses a memory that is buffering the SIM and the micro of the handset. Therefore, according to the examiner, it should be "obvious to one skilled in the art to apply the teachings of Halloran to disclosure of LaDue to create a communication device

comprising a master microprocessor, a SIM operably connected to the master microprocessor through a bus, and a buffering device, all on the same bus.” However, the buffering device mentioned by the examiner is a passive memory and not a buffering device with a microprocessor. This allows the buffering device to pretend being another device.

Therefore, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1.

Moreover, Applicant respectfully requests the Examiner to withdraw the rejection of dependent claims 2-6 and 8-16 at least because of their dependency from claim 1.

Claim Rejection Under 35 U.S.C. § 102

Claims 17, 18, 34, 39-42 and 46 are rejected under 35 U.S.C. § 102(e) as being anticipated by LaDue.

The rejection of claims 34, 39-42, and 49 is moot in view of the cancellation of these claims.

Moreover, claim 17 has been amended so that it depends from claim 1. Thus, Applicant respectfully submits that claims 17 and 18 are patentable at least because of their dependency from claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 09/915,563

Attorney Docket No.: Q64293

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Date: March 6, 2008